

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DANIEL WILKES,)	
Plaintiff,)	
)	C.A. No. 19-65 Erie
v.)	District Judge Susan Paradise Baxter
)	Magistrate Judge Richard A. Lanzillo
CRAWFORD COUNTY JAIL,)	
Defendant.)	

MEMORANDUM ORDER

Plaintiff Daniel Wilkes initiated this *pro se* civil rights action on March 11, 2019, by filing a motion to proceed *in forma pauperis* (“ifp motion”) [ECF No. 1], and this matter was referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. On March 18, 2019, Judge Lanzillo entered an Order dismissing the ifp motion due to Plaintiff’s failure to attach a certified copy of his prison trust fund account statement [ECF No. 2]. Plaintiff subsequently filed a new motion to proceed *in forma pauperis* on September 4, 2019 [ECF No. 7], which was granted by Judge Lanzillo on September 10, 2019 [ECF No. 8], and Plaintiff’s complaint was docketed on the same day [ECF No. 10].

On March 6, 2020, Judge Lanzillo issued an Order notifying Plaintiff that the Defendant in this case, Crawford County Jail, is not amenable to suit under 28 U.S.C. § 1983, and directing Plaintiff to file an amended complaint within thirty days identifying the “individual prison employees, supervisors, or municipalities responsible for” the alleged violations of Plaintiff’s constitutional rights and explaining how each such defendant violated his rights. [ECF No. 17].

In response to this Order, Plaintiff filed a one-page narrative on April 7, 2020 [ECF No. 20], which failed to comply with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. So, Judge Lanzillo issued another Order on October 9, 2020, giving Plaintiff a second opportunity to file an appropriate amended complaint within thirty days [ECF No 27].

After receiving no response from Plaintiff for over six months, Judge Lanzillo issued a Report and Recommendation (“R&R”) on April 29, 2021, recommending dismissal of this case for Plaintiff’s failure to prosecute [ECF No. 28]. Service of the R&R was made on Plaintiff at his address of record, via first class United States mail. Objections to the R&R were due from Plaintiff by May 17, 2021; however, Plaintiff has failed to file any objections to date.

After de novo review of the documents in this case, together with the report and recommendation, the following order is entered:

AND NOW, this 24th day of May, 2021;

IT IS HEREBY ORDERED that this case is DISMISSED for Plaintiff’s failure to prosecute. The report and recommendation of Magistrate Judge Lanzillo, issued April 29, 2021 [ECF No. 28] is adopted as the opinion of the court.

The Clerk is directed to mark this case CLOSED.


SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
U.S. Magistrate Judge

All parties of record